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From: MICHAEL P. MCELWRATH <MMLM96@EMAIL.COM>
To: <gtristan@fcc.gov>
Date: Sun, May 7, 2000 11:53 AM
Subject: Comments from Commissioner Tristani's Homepage

JUN - 9 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MICHAEL P. MCELWRATH (MMLM96@EMAIL.COM) writes:

99-25

COMMISSIONER TRISTANI:

I APPLAUD THE EFFORTS OF THE FCC FOR WANTING TO BRING BACK DIVERSITY TO RADIO BY THE CREATION OF LOW POWER FM. I WAS IN RADIO BROADCASTING FOR 10 YRS AND I SAW HOW BIG CORPORATIONS HAVE TAKEN OVER THE INDUSTRY. WHILE I WAS GETTING MY COMMUNICATIONS DEGREE FROM SOUTHERN ILLINOIS UNIVERITY AT CARBONDALE, I HEARD FORMER FCC CHAIRMAN AL SYKES HAD STATE MANY TIMES THAT RADIO SHOULD SERVE THE PUBLIC INTEREST. IT SEEMS THAT WITH NABY OF THE COMMERCIAL STATIONS TODAY, EVEN SMALLER MARKET STATIONS, ARE REALLY SERVING THE PUBLIC INTEREST. EVERYWHERE YOU GO IT IS THE SAME TYPE OF RADIO PRESENTATION IN DIFFERENT MARKETS DUE TO THE FACT THE BIG CORPORATIONS ARE REPEATING THE SAME IDEAS TO ALL OF THERE STATIONS.

I AM WORKING WITH AN EVAGELISM COLLEGE IN THE ST. LOUIS, MO AREA. LPFM IS A PATHWAY FOR USE TO SERVE THE PUBLIC INTEREST AND BRING DIVERSITY TO THIS COMMUNITY. CURRENTLY, THIS IS NOT A COMMERCIAL FM FREQUENCY IN THE ST. LOUIS AREA A RELIGIOUS/ CHRISTIAN FORMAT. THE LAST STATION WAS BOUGHT UP BY I BELIEVE CLEAR CHANNEL COMMUNICATIONS AND NOW HAS CHANGED THE FORMAT TO URBAN/CHR. THE GROUP I AM WORKING WITH PLANS TO APPLY FOR ONE OF THE LPFM LICENCES COME OUR FILING DATE AS SET FORTH BY THE FCC AS NOVEMBER OF 2000. AS ASK YOU TO DO EVERTHING WITHIN YOUR POWER TO MAKE SURE THAT LPFM WILL BE AVAILABLE TO US AND MANY OTHER AREAS ACROSS THE COUNTRY.

NOW I REALIZE THE CONCERNS WITH INTERFERENCE THAT LPFM STATIONS MAY BRING TO EXISTING COMMERCIAL AND NON COMMERCIAL STATIONS. HOWEVER, I BELIEVE THE FCC WITH BE ABLE TO SHOW THAT SMALL 100-WATT STATIONS, WHICH WOULD BE NON COMMERCIAL, WILL NOT AFFECT THE BIG 50K AND 100K COMMERCIAL STATIONS AND THEIR REVENUE. ISN'T THAT WHAT THE BIG FUSS IS ALL ABOUT. COMMERCIAL BROADCASTERS ARE WOULD ABOUT THE ALL MIGHTY DOLLAR! LPFM STATIONS WOULD RELY ON UNDERWRITING AND DONATIONS TO GENERATE REVENURE. THE COMMERCIAL STATIONS SHOULD HAVE NO PROBLEMS DROWNING OUT THE LPFM STATION JUST ON THE POWER OF THEIR FREQUENCIES AND THE PROTECTION OF THE CURRENT COVERAGE AREAS ON THE 2ND ADJACENT CHANNEL. THIS SITUATION IS LIKE GOLIATH CLAIMING THAT LITTLE DAVID MIGHT HURT HIM.

WELL, I WANT TO THANK YOU FOR LETTING ME EXPRESS MY CONCERNS AND THOUGHTS. I HOPE THAT COME NOVEMBER OF 2000, MY GROUP WILL BE ABLE TO APPLY FOR A LPFM LICENSE AND THAT THE SENATE WILL MAKE SURE THAT DIFERSITY AND THE PUBLIC INTEREST IS BROUGHT BACK TO THE RADIO INDUSTRY. WAS THAT NOT THE MAIN ISSUE IN THE COMMUNICATIONS ACT OF 1934?

THANK YOU AGAIN FOR YOUR TIME.

RESPECTFULLY,

MICHAEL P MCELWRATH

Server protocol: HTTP/1.1
Remote host: 64.71.8.145

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Remote IP address: 64.71.8.145

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From: "Gan'Jo" <nova@ez2.net>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>
<gtristan@fcc.gov>, <President@whitehouse.gov>, <First.Lady@whitehouse.gov>,
<Vice.President@whitehouse.gov>, <mec@tao.ca>
Date: Thu, May 18, 2000 10:25 PM
Subject: In Support of the MEC Letter on MM Docket No. 99-25

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JUN - 9 2000FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

=To: The Honorable William E. Kennard Chairman,
Commissioner Gloria Tristani,
Commissioner Michael Powell
Commissioner Susan Ness
Commissioner Harold Furchgott-Roth
Federal Communications Commission
The Portals 455 Twelfth Street S.W. Washington, DC 20554
cc: President Clinton, Hillary Clinton, Vice President Al Gore
cc: Microradio Empowerment Coalition

MM Docket No. 99-25
Regarding The Creation of Low Power FM Licenses: RM-9242, RM-9208

Dear Honorable Chairman Kennard,

We are writing to commend you and the Federal Communications Commission for taking action on an issue of great importance to us - ending the 21-year ban on community access to the airwaves. We have become increasingly concerned about the growing concentration of the media in our country and are pleased that the Commission is responding to public outcry to increase opportunities for local communities to use our radio airwaves.

One of the fundamental tenets of our democracy is to ensure that diverse interests have opportunities to express themselves, not merely to be the recipients of what a handful of other people tell them. It is a nonnegotiable component of our right to a free press and free speech.

Radio is perhaps the most qualified of any media outlet to provide community access. It is a relatively inexpensive medium to produce and is well-suited to cover community issues and local culture. Unfortunately, over the past three years the U.S. radio broadcasting industry has experienced an unprecedented wave of consolidation and mergers. As a result, the electronic medium best suited to inexpensive, local programming has become arguably the most regimented and centralized of our major media. Even a multimillionaire would have trouble entering the radio broadcasting industry today, because economies of scale (permitted by deregulation) demand that a firm own numerous stations in several markets to be even remotely competitive. As for the person of average means, their lot is limited to being a passive consumer of an increasingly monopolistic industry that has less and less competitive pressure to heed the diverse, local needs of listeners. And, for poor people and others who are considered unimportant to the advertising community, radio increasingly has little to offer. Again, the great tragedy of this

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situation is that radio is the ideal medium to provide an accessible local service for democratic communications of interest and value to the entire population.

Awarding licenses for new low power FM radio stations would empower local communities with a new public forum to express its many voices, cultures, ideas, and needs. Low power radio stations would create much needed public fora for a variety of groups - including community activists, youth, ethnic and linguistic minorities, the religious community, local artists and cultural associations - and provide a forum for dialogue and debate about important local and public interest issues. These kinds of stations would strengthen community identity in urban neighborhoods, rural towns and other communities which are currently too small to win attention from "mainstream", profit-driven media.

The strong interest in independent radio stations shows that the creation of low power radio service would have wide public support. The tremendous demand for microradio is demonstrated by the emergence of a national Free Radio Movement, widespread civil disobedience, constitutional challenges of the Commission's aggressively enforced 21-year ban, as well as the proliferation of unlicensed community radio stations supported by local government, whose operators broadcast at the risk of financial losses, seizure of property, arrest, and in some cases, imprisonment.

In addition, the Commission has stated that in the last year alone, 13,000 people inquired regarding the possibility of obtaining a license for low power broadcasting in their communities. In support with the efforts of the Microradio Empowerment Coalition (mec@tao.ca), we urge you to legalize microradio in order to benefit non-commercial community groups whose interest in microradio is to communicate, to educate, and to inform, not to make money. We are confident you agree that broad citizen access to information and culture is at the heart of a democratic society.

To support this vision, we urge you to legalize microradio with the following concerns in mind:

1. Microradio licenses should be awarded for non-commercial use only. The current radio spectrum is dominated by commercial media. LPFM licenses should go to non-commercial community groups who want to use radio to communicate with their neighbors, not make profit from them.
2. Licenses should be held locally, be non-transferable, affordable to all communities, easy to apply for and limited to one per license holder; they should NOT be businesses.
3. Power levels should be up to 100 watts in urban areas and up to 250 watts in rural areas.
4. The Commission should NOT diminish new low-power stations to "secondary status." It would be a tragedy to take away licenses

from low-power community stations just because the Commission subsequently granted a power increase to a pre-existing station or granted a new high power license somewhere nearby.

5. The Commission should grant full amnesty for the microbroadcast pioneers who have suffered government seizure and fines. Their property should be returned. They should be granted equal opportunity in applying for and receiving new licenses.

6. Problems, technical or otherwise, should be referred to the local voluntary micropower organization for assistance or mediation (e.g. the Ham radio model). The FCC should be the forum of last resort.

7. LPFM must be protected and maintained in the future as radio makes the transition from analog to digital broadcasting.

8. If the FCC intends to license some commercial stations, they must be licensed last. In this instance, there should be a 2 year "headstart" for non-commercial licenses. The right of citizens to communicate is protected by the Constitution and the FCC's mandate. The right to make money through local radio is not a protection under the FCC's mandate.

9. Stations should be locally programmed. However recorded materials such as music, poetry, documentaries, features etc. may be used. Sharing of program materials and resources among micro and community stations is strongly encouraged. No more than 20% of air time from off-site feeds or syndicated tapes.

10. Licenses should be awarded to unincorporated non-commercial associations, and non-profit organizations.

11. Within two years new spectrum space (including any future digital spectrum space) should be allocated for continued expansion of microradio broadcasters so that any community group that wishes to broadcast has access to available spectrum space (frequencies). Further, all manufacturers of consumer radio receivers for sale in the United States should be required to include this spectrum set aside for microradio broadcasters.

12. Licensing fees should be affordable to all communities.

Again, we commend Chairman Kennard and the Commission for your willingness to address these issues. We are hopeful that the creation of a new class of low power FM radio licensing becomes a reality during the Chairman's present term. We look forward to working on making the airwaves more accessible for our local communities.

Signed,

MEC Honorary Chair:
Robert W. McChesney, Madison

Steering Committee:
Sara Zia Ebrahimi, Philadelphia

Diane Fleming, Philadelphia
Peter Franck, San Francisco
Amanda Huron, Washington, D.C.
Alan Korn, San Francisco
Greg Ruggiero, New York City

Noam Chomsky--Massachusetts Institute of Technology
Howard Zinn--Professor Emeritus, Boston University
Nancy Kranich--Librarian
Ron Daniels--Executive Director, Center for Constitutional Rights
George Gerbner--Founder, Cultural Environment Movement
Edward Herman--Wharton School, University of Pennsylvania
Janine Jackson--Fairness and Accuracy in Reporting
Herbert Schiller--Professor Emeritus, University of California, San Diego
Juliet Schor--Harvard University
Mark Crispin Miller--New York University
Laura Flanders--national producer for Pacifica Radio
David Barsamian--Director, Alternative Radio
Stuart Ewen -- Author
Elaine Bernard--Harvard Trade Union Program
Al Lewis--Organizer ("Grandpa" from the Munsters)
Dee Dee Halleck--Deep Dish TV
Ben Bagdikian--University of California, Berkeley
Loretta Ross--Executive Director, National Center for Human Rights Education
David C. Korten--Author, and Chair of the Positive Futures Network, publishers of YES Magazine
Carl Jensen--Founder, Project Censored
Ellen Braune--Publicist
Jamie Love--Director, Consumer Project on Technology
Efia Nwangaza--Attorney/Coordinator, Greenville Malcolm X Movement for Self Determination
Dan Simon--Founder, Seven Stories Press
Barbara Ehrenreich--Author
Gloria Steinem--Ms.
Mumia Abu-Jamal--Journalist
Kurt Vonnegut-- Author

Additional Comments=
name=Joseph Kearney
street=10450 Dufferin ave.
city=Riverside
state=CA
zip=92503
=Send to FCC

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99-25

From: Brenda Hutchinson <brendah@exploratorium.edu>**To:**K2DOM.K2PO1(GTRISTAN),K4DOM.K4PO2(MPOWELL,SNES),K5DOM.K5PO2(HF
URCHTG),K1DOM.K1PO1(BKENNARD),ROUTE_A.GWIA1("mec@tao.ca","gwb@mail.georgewbush.co
m",...**Date:** Sun, Dec 12, 2027 4:36 PM**Subject:** In Support of the MEC Letter on MM Docket No. 99-25

=To: The Honorable William E. Kennard Chairman,
Commissioner Gloria Tristani,
Commissioner Michael Powell
Commissioner Susan Ness
Commissioner Harold Furchgott-Roth
Federal Communications Commission
The Portals 455 Twelfth Street S.W. Washington, DC 20554
cc: President Clinton, Hillary Clinton, Vice President Al Gore,
Bill Bradley, and George W Bush
cc: Microradio Empowerment Coalition

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One of the fundamental tenets of our democracy is to ensure that diverse interests have opportunities to express themselves, not merely to be the recipients of what a handful of other people tell them. It is a nonnegotiable component of our right to a free press and free speech.

Radio is perhaps the most qualified of any media outlet to provide community access. It is a relatively inexpensive medium to produce and is well-suited to cover community issues and local culture. Unfortunately, over the past three years the U.S. radio broadcasting industry has experienced an unprecedented wave of consolidation and mergers. As a result, the electronic medium best suited to inexpensive, local programming has become arguably the most regimented and centralized of our major media. Even a multimillionaire would have trouble entering the radio broadcasting industry today, because economies of scale (permitted by deregulation) demand that a firm own numerous stations in several markets to be even remotely competitive. As for the person of average means, their lot is limited to being a passive consumer of an increasingly monopolistic industry that has less and less competitive pressure to heed the diverse, local needs of listeners. And, for poor people and others

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Awarding licenses for new low power FM radio stations would empower local communities with a new public forum to express its many voices, cultures, ideas, and needs. Low power radio stations would create much needed public fora for a variety of groups - including community activists, youth, ethnic and linguistic minorities, the religious community, local artists and cultural associations - and provide a forum for dialogue and debate about important local and public interest issues. These kinds of stations would strengthen community identity in urban neighborhoods, rural towns and other communities which are currently too small to win attention from "mainstream", profit-driven media.

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In addition, the Commission has stated that in the last year alone, 13,000 people inquired regarding the possibility of obtaining a license for low power broadcasting in their communities. In support with the efforts of the Microradio Empowerment Coalition (mec@tao.ca), we urge you to legalize microradio in order to benefit non-commercial community groups whose interest in microradio is to communicate, to educate, and to inform, not to make money. We are confident you agree that broad citizen access to information and culture is at the heart of a democratic society.

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Diane Fleming, Philadelphia
Peter Franck, San Francisco
Amanda Huron, Washington, D.C.
Alan Korn, San Francisco
Greg Ruggiero, New York City

Robert W. McChesney-- University Of Illinois, Urbana
Noam Chomsky--Massachusetts Institute of Technology
Howard Zinn--Professor Emeritus, Boston University
Nancy Kranich--Librarian
Ron Daniels--Executive Director ,Center for Constitutional Rights
George Gerbner--Founder, Cultural Environment Movement
Edward Herman--Wharton School, University of Pennsylvania
Janine Jackson--Fairness and Accuracy in Reporting
Mark Crispin Miller--New York University
Laura Flanders--national producer for Pacifica Radio
David Barsamian--Director, Alternative Radio
Stewart Ewen -- Author
Gary Ruskin, Director, Commercial Alert
Elaine Bernard--Harvard Trade Union Program
Al Lewis--Organizer ("Grandpa" from the Munsters)
Dee Dee Halleck--Deep Dish TV
Ben Bagdikian--University of California, Berkeley
Loretta Ross--Executive Director, National Center for Human Rights Education
Carl Jensen--Founder, Project Censored
Ellen Braune--Publicist
Jamie Love--Director, Consumer Project on Technology
Dan Simon--Founder, Seven Stories Press
Juliet Schor--Harvard University
Herbert Schiller--Professor Emeritus, University of California, San Diego
Barbara Ehrenreich--Author
Gloria Steinem--Ms.
Mumia Abu-Jamal--Journalist
Kurt Vonnegut-- Author
Brenda Hutchinson, Sound Artist

Additional Comments=

name=Brenda Hutchinson
street=379 25th Avenue
city=San Francisco
state=CA
zip=94121
=Send to FCC

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From: Steve Mattan <stevemattan@home.com>
To: <gtristan@fcc.gov>
Date: Sun, Jun 4, 2000 6:41 PM
Subject: Comments from Commissioner Tristani's Homepage

Steve Mattan (stevemattan@home.com) writes:

I support the FCC's LPFM radio service.

Steve Mattan

Server protocol: HTTP/1.0
Remote host: 24.4.252.2
Remote IP address: 24.4.252.2

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EX PARTE OR LATE FILED

From: Gloria Keler <glota@gorge.net>
To: <gtristan@fcc.gov>
Date: Tue, May 2, 2000 12:10 AM
Subject: re: low power fm stations

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i live in the dalles, oregon and i have noticed, especially over the past
>year, that other very powerful stations are interfering with my
reception of OPB (oregon public broadcasting 91.5)..these stations are
often religious stations

they also interfere with reception of the public radio station out
of richland

>washington which is 90.1. i have been listening to these stations for
many years, 15+ years, and have not had this problem in the past.

i have heard that some changes are happening with the FCC. i am
writing to voice a complain regarding allowing stations to be so close
that one drowns out another. .

i only have this problem with small dial radios such as my walkman
and my bedside clock radio. i don't have the problem with digital
radios such as a Bose and the radios in our cars.

>
>thank you

gloria keller
1205 walnut st west
the dalles, or 97058
541-298-8347

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I am a former public broadcasting employee, and recently read the comments from the Corporation for Public Broadcasting to the Federal Communications Commission concerning the new non-commercial Low Power FM radio service proposed by the FCC. I believe that the CPB may have slightly exaggerated the truth regarding existing and future non-commercial radio services, and would like to share my thoughts on this subject.

In our community both public radio stations and the public television station are owned by the same licensee, and many of the same popular NPR programs air daily on both radio stations but at different times of the day. The total operating budget for the television station and 5 full power FM stations is approximately 4.2 million dollars annually, and the licensee only spends about 17 percent of it's total annual budget for PBS, NPR, and other outside programming sources. Four of the five full power FM stations owned by this organization simulcast the exact same programming to this and several nearby communities 100 percent of the time, and local studios were never constructed in the three outlying communities where full power transmitters are located. This non-commercial licensee also operates a for profit commercial audio and video production facility, and maintains a dot-com internet web site to promote this commercial endeavor. The licensee's IRS-990 financial disclosures suggest that it is possible that the expenses associated with these commercial operations are being reported as part of the organizations non-profit program service accomplishments, rather than as a fund raising or revenue generating expense. In other words this organization's non-profit programming expenses may also reflect the costs associated with creating revenue through the sale of commercial production and facility rental services rather than just the cost of providing non-commercial broadcasting service to our community.

The licensee's Board of Trustees consists of several local attorneys, the president of the local university, the Music Director for the local symphony orchestra, the Marketing Manager for a local shopping mall, and several other educators, businesspeople, and community leaders. To my knowledge the Board of Trustees is self nominating, and the nominating process is closed to the general public. The board meetings are not being publicized, and board minutes and financial disclosures are not easily available on request for public inspection.

90 percent of the programming on the television station is from outside program providers such as Public Broadcasting Service, Central Educational Network, and Eastern Educational Network, and radio programming is mostly National Public Radio and American Public Radio programming, Classical music, and Jazz. The stations will occasionally feature locally produced documentaries, fund raising drives, or public affairs programming. Several ethnic groups in our community that regularly produce local cultural radio programming purchase air time on commercial radio stations, and have also been able to secure non-governmental for these projects. Many of these ethnic groups have had programming on the radio long before public broadcasting was introduced to our area, and some smaller ethnic groups still do not have any access to the air.

Our local public radio stations do serve the Educational, Fine Arts, and African-American communities very well, but the fabric of this community is also made up of many other cultural and ethnic groups that are not presently being served by the current full power services. I believe that our current national public broadcasting system is governed by what the intellectuals and activist visionaries believe would be in the public's best interest, a low power service would put public broadcasting directly in the hands of the people. I believe that the true opponents of this new radio service are the public broadcasting employees themselves concerned about their employment futures, and classical music listeners with high-end audio equipment concerned about the potential for radio interference. Just like the National Association of Broadcasters, the Corporation for Public Broadcasting is also a special interest group. Their views represent those of their members, and not those of the general viewing and listening public.

I believe that the Federal Communications Commission should proceed to license low power non-

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commercial radio stations, and enact regulations that would prohibit high power and out of town licensees from applying for these low power licenses. This would ensure that all Americans have equal access to promote true ethnic and cultural diversity on the non-commercial radio airwaves.

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From: "Ron Cappiello" <rcappie@stny.rr.com>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>
<gtristan@fcc.gov>
Date: Mon, May 1, 2000 7:54 PM
Subject: Low Power FM Radio

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FEDERAL COMMUNICATIONS COMMISSION
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